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PATENT

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Kevin G. Rooney, Reg. No. 36,330

3/19/02  
Date

Applicants: Gregg M. Cox et al.  
Serial No.: 09/963,823  
Filed: September 26, 2001  
Examiner: Unknown  
Group Art Unit: 2641  
For: ELECTRONIC TEXT TRANSMISSION APPARATUS  
Atty. Docket No.: ESN-41

Cincinnati, Ohio 45202

March 19, 2002

### RESPONSE TO NOTICE OF INCOMPLETE REPLY

Box MISSING PARTS  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice of Incomplete Reply mailed February 28, 2002, Applicants' counsel attaches and files herewith an Abstract of the Disclosure. Applicants traverse the allegation that the previous response to the Notice to File Missing Parts mailed October 24, 2001 was incomplete. In this regard, Applicants' response of December 21, 2001 fulfilled all requirements made in the Notice to File Missing Parts, i.e., the filing of an executed Declaration, a fee of \$65.00, and the claims commencing on a separate sheet. The requirement for

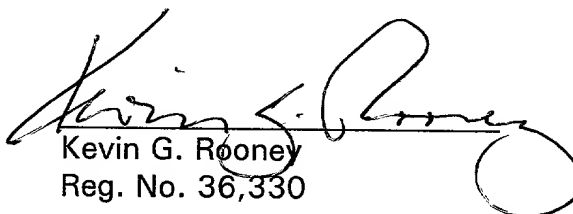
an Abstract was not made by the Patent Office in the Notice to File Missing Parts. Therefore, as to the Notice to File Missing Parts and the requirement made in that paper, Applicants fully complied in their initial response. Therefore, the Notice of Incomplete Reply mailed on February 28, 2002 is, in fact, a new Notice to File Missing Parts and, therefore, Applicants should have been given a new two month time period in which to respond. No extension of time should be required for this response. Applicants could not reply to a request which was not made in the initial Notice to File Missing Parts but is now responding to that requirement as now set forth, for the first time, in the Notice of Incomplete Reply.

A copy of the Notice of Incomplete Reply mailed on February 28, 2002 is included herewith.

If there is any additional matter that may be resolved by telephone or fax, please contact the undersigned at the telephone number listed below.

Applicants believe that no other fees are due in connection with this response. However, if such petition is due or any fees are necessary, the Commissioner may consider this to be a request for such and charge any necessary fees to deposit account 23-3000.

Respectfully submitted,  
WOOD, HERRON & EVANS, L.L.P.

  
Kevin G. Rooney  
Reg. No. 36,330

2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202  
(513) 241-2324



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

MAR 28 2002

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

APPLICATION NUMBER

09/963,823

09/26/2001

Gregg M. Cox

ESN-41

CONFIRMATION NO. 1214

## FORMALITIES LETTER



\*OC000000007558062\*

WOOD, HERRON & EVANS, L.L.P.  
2700 Carew Tower  
441 Vine Street  
Cincinnati, OH 45202

Date Mailed: 02/28/2002

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

*Filing Date Granted*

The U.S. Patent and Trademark Office has received your reply on 01/25/2002 to the Notice to File Missing Parts (Notice) mailed 10/24/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

*A copy of this notice MUST be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE